Junior to counsel for appellant present.

Muhammad Riaz Khan Paindakhel, Learned Assistant Advocate General alongwith Aizazul Hasan, Assistant for respondents present.

File to come up alongwith connected Service Appeal No. 9150/2020 titled "Hidayat Shah Vs Government of Khyber Pakhtunkhwa" on 25.11.2022 for arguments before D.B.

(Faree na Paul) Member (E)

(Rozina Rehman) Member (J)

25.11,2022

Counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.

File to come up alongwith connected Service Appeal No. 9150/2020 titled "Hidayat Shah Vs Government of Khyber Pakhtunkhwa" on 30.01.2023 for arguments before the D.B.

(Fareeha Paul) Member (E)

(Rozina Rehman) Member (J) 19.01.2021

Appellant present through counsel. Preliminary arguments heard. File perused.

Points raised need consideration. Admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to respondents for written reply/comments. To come up for written reply/comments on 19.05.2021 before S.B.

Segunity Process Fee

(Rozina Rehman) Member (1)

19.05.2021

Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 01.09.2021 for the same as before.

Reader

01.09.2021

Junior to counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Mr. Muhammad Zain, AD for respondents present.

Learned AAG sought time for submission of written reply/comments. Adjourned. The respondents are directed to submit written reply/comments within 10 days. To come up for written reply/comments as well as arguments before the D.B on 28.12.2021.

(MIAN MUHAMMÁD) MEMBER (E)

, h

FORM OF ORDER SHEET

Court of	
	-

	Case No	10290 /2020
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/08/2020	The appeal presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.
2-		This case is entrusted to S. Bench for preliminary hearing to be put up there on 2: 11.2020 MEMBER(I)
.11.202	Dist tod: ava	Nemo for appellant. Since the Members of the High Court as well as of the trict Bar Association, Peshawar, are observing strike ay, therefore, learned counsel for appellant is not ilable today. Adjourned to 19.01.2021 on which date to the up for preliminary hearing before S.B.
		(Muhammad Jamal Khan) Member (Judicial)

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

APPEAL NO. 9243

USMAN GHANI

V/S

GOVT. OF KP & OTHERS

INDEX

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3	Appointment order	A	5.
4	Old service rules	В	6- 8.
_ 5	Impugned Rules dated 5.4.2018	С	9.
6	Impugned rules dt: 1.8.2018	D	10- 13.
7	Impugned rules dt: 16.10.2019	E	14- 15.
8	Notification	F	16.
9	Departmental appeal	G	17- 18.
10	Vakalat nama		19.

APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK, **ADVOCATE**

ROOM NO. 3, UPPER FLOOR, NEW ISLAMIA CLUB BUILDING, KHYBER BAZAR, PESHAWAR CITY

0345-9383141

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, **PESHAWAR**

APPEAL NO. 9243 /2020 Diary No. 8498 Mr. Usman Ghani, Village Secretary, Dated [0-8-2] Village Council Shalband, District Upper Dir.

..... APPELLANT

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Chief Secretary, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
- 2- The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
- 3-The Secretary Local Government, Election & Rural Development Department, Civil Secretariat, Peshawar.
- 4- The Secretary (Finance) Department, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
- 5- The Director General Local Govt:, Election & Rural Development Department, Khyber Pakhtunkhwa, Peshawar.

..... RESPONDENTS

SERVICE APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED SERVICE RULES OF THE RESPONDENT **DEPARTMENT NOTIFIED ON 5.4.2018, 1.8.2018** 16.10.2019 WHEREBY THE PROSPECTS OF PROMOTION OF THE APPELLANT TO THE NEXT HIGHER SCALES HAS BEEN DONE AWAY AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STAUTTORY PERIOD OF NINETY DAYS

PRAYER: That on acceptance of this appeal the impugned service rules Notified on 5.04.2018, 1.8.2018 16.10.2019 may kindly be set aside and the old service Rules Notified on 26.11.1978 may be revived/restored and the respondents be directed to consider the appellant for promotion to the next higher scale/scales under the old rules notified on 26.01.1978. Any other remedy which this august Tribunal deems fit that may also be awarded in favour of the appellant.

R/SHEWETH: ON FACTS:

1-That the appellant is the employee of the respondent Department and is presently serving as Village Secretary since from the date of appointment till date quite efficiently

- That according to the service rules Notified on 26.1.1978 the initial scale of the appellant was in BPS-6 which was later on upgraded to BPS-7. That under the said Rules the prospects of promotion was on up to the post of Deputy Director (BPS-18) but later on vide impugned Notifications dated 5.4.2018, 1.8.2018 and 16.10.2019 the channel of promotion has been limited to the post of Developmental Officer (BPS-16) and where after no channel for promotion has been lift for the cadre of Village Secretary rather the channel of promotion has been washed/done away in utter violation of Civil Servant Act, 1973 & APT Rules, 1989. Copies rules and impugned rules are attached as annexure B, C, D & E.
- That according to the old rules of 1978, after appointment the village secretaries has 75% promotion quota to the post of Supervisor (BPS-14) & Assistant Accountant (BPS-14), 50% quota was reserved from supervisor & Assistant Accountant to Development Officer (BPS-16) and where after from the post of Development Officer to the Village Secretary was in a combined share of 50% with amongst the sub-divisional officer and Assistant Director Engineer to the post of Assistant Director/Project Manager/Progress Officer, then, 75% quota was reserved from Assistant Director to the post Deputy Director (BPS-18). All these promotions were based on the basis of seniority cum fitness. Copy of the rules is already attached.
- 4- The same service structure dated 26.01.1978 was amended vide notification dated 05-04-2018 whereby the post of village secretary was bifurcated into two sub cadres i.e. Senior Secretary Village Neighborhood Council (BPS-11) and Junior Secretary Village Neighborhood Council (BPS-09) and as such prospects of promotion was given from Junior Village Secretary to Senior and then to the post of Supervisor (BPS-14) with 75% quota. Copy of the impugned rules is already attached.
- 6- That appellant feeling aggrieved filed Departmental appeal but no reply has been received so for. Hence the present

appeal on the following grounds amongst the others. Copy of the Departmental appeal is attached as annexure G.

GROUNDS:

- A- That the impugned service rules dated 5.4.2018, 1.8.2018 and 16.10.2019 framed by the respondents whereby ignoring the appellant from promotion to the next higher scales is against the Law, facts, norms of natural justice and materials on the record, hence not tenable and liable to be set aside.
- **B-** That the appellant has not been treated by the respondents in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the constitution of Islamic Republic of Pakistan 1973.
- C- That, the treatment meted out to the appellant is clear violation of the Fundamental Rights of the appellant as enshrined in the Constitution of Pakistan, 1973.
- **D-** That according to Article 37 of the Constitution the state is bound to promote social justice and eradication of social evils and accordingly the action and inaction of the respondents squarely falls in violation of the said Article.
- E- That, inspite of all the requisites available with the appellant the respondents acted in a malafide and arbitrary manner by issuing the impugned service rules dated 5.4.2018 & 16.10.2019.
- **F-** That, the appellant has been discriminated by the respondents on the subject noted above and as such the respondents violated the Principle of Natural Justice.
- **G-** That, the ignoring the appellant from promotion to the next higher scales is violative of Article-38 (e) of the Constitution of Pakistan, 1973.
- **H-** That the appellant seek permission to advance other grounds and proofs at the time of hearing.

THROUGH:

It is therefore, most humbly prayed that the appeal of the appellant may be accepted as prayed for.

Dated: 10.8.2020

USMAN GHANI

NOOR MOHAMMAD KHATTAK

ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

	C.M. NOIN	/2020	
	PPEAL NO.	/2020	
USMAN GHANI	VS	GOVT: OF KPK & OTH	IFRS

APPLICATION FOR RESTRAINING THE RESPONDENTS
NOT TO ACT UPON THE IMPUGNED SERVICE RULES
DATED 5.4.2018, 1.8.2018 & 16.10.2019 TILL THE
DISPOSAL OF THE ISNTANT SERVICE APPEAL

R.SHEWETH:

- 1. That, the appellant has filed the above titled service appeal before this Honorable Tribunal in which no date has so far been fixed.
- 2. That, appellant filed the above mentioned service appeal against the impugned service rules dated <u>5.4.2018</u>, <u>1.8.2018</u> & <u>16.10.2019</u> whereby the 75% promotion quota have been done/washed away.
- 3. That, all the three ingredients required for grant of stay are in favor of the appellant.
- 4. That, any other ground would be taken at the time of arguments with prior permission of this Honorable Tribunal.

It is therefore, most humbly prayed that on acceptance of this application the respondents may kindly be restrained not to act upon on the impugned service rules dated <u>5.4.2018</u>, <u>1.8.2018</u> & <u>16.10.2019</u> till the disposal of the instant service appeal.

APPELLANT

THROUGH:

NOOR MOHAMMAD KHATTAK

ADVOCATE, High Court Peshawar



ASSISTANT DIRECTOR LG & KUD DIR UPPER.

15 105/2019. Dated:

Contact No. 0944-880950

Email: adigdirupper@gmail.com

Subject:

OFFICE ORDER.

No.AD/LG&RDD/Dir(U)/Office Order 9/6-23 Consequent upon the Provincial Government LG&RDD Khyber Pakhtunkhwa letter No.Director (LG) 43-1/Establishment/2017/13434 dated 14-12-2019, Promotion/Recruitment Committee held on 09 04-2019 in the office of the undersigned for the promotion of Naib Qasids/Chowkidars of VCs/NCs District Dir Upper.

Reference to the recommendations of the Departmental Promotion/Recruitment Cornmittee Dir Upper, Mr. Usman Ghani Naib Qasid VC is hereby promoted on acting charge basis to the vacant post of Junior Secretary (BPS-09) at VC Shalban Tehsil Kalkot subject to the following terms and conditions with immediate effect.

Terms & Conditions

- 1. The promoter will be on probation for the period of one year, which will be extended
- 2. Strict action under the rules will be taken in case the documents of the promoter found fake or bogus and will be reverted to his previous position.
- 3- The documents will be verified by the expenses of promoter.
- a la case of resignation from scroices, 30 days prior notice shall be necessary or in lieu of
- The promoter will be governed by all rules/regulations applicable to the Govt employees falling in the same category.
- 6- The order may be withdrawn any time, without assigning any reason.
- In case of any litigation, the whole responsibility will be laid upon the promoter. concerned.

ATTIGIED

Assistant Director G & RDD Dir Upper

Even No. & Dated above:

Copy forwarded to:-

- 1- The Director General LG&RDD Khyber Pakhtunkhwa, Peshawar
- 2- The District Nazim Dir Upper
- 3- The Deputy Commissioner Dir Upper.
- 4- The District Accounts Officer Dir Upper.
- 5- The Section Officer (Estab) LG&RDD Khyber Pakhtunkhwa, Peshawar
- 6- The Accountant LG&RDD Dir Upper:
- 7- The Official concerned.

Assistant Director, LG & RDD Dir Upper.



EXTRAORDINARY

GOVERNMENT



REGISTERED NO. PIII

GAZETTE

KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, WEDNESDAY, 12TH JUNE, 2019.

LOCAL-GOVERNMENT, ELECTION AND RURAL DEVELOPMENT DEPARTMENT GOVERNMENT OF NORTH WEST FRONTIER PROVINCE

NOTIFICATION

Dated: 26th January, 1978.

applicable to posts borne on the Rural Development Department specified in column 2 of the said appendix and Rural Development Department is pleased to lay down the method of appointment, qualification and others conditions specified in column 3 to 6 of the appendix to this Notification, which shall be Transfer) Rules, 1975 and in consultation, with the information services and General Administration Department and the Finance Department, the Local Government Cooperation, Social affairs, Tourism No. Section Officer(LG-1) 2-188/93-Vol-II: In exercise of the powers conferred by sub-rule (2) of the rule 3 of the North West Frontier Province Civil Servants (Appointment, Promotion and

_				<u>,,,</u>		_					
		•				-		-			S.No.
						_	-	Deputy Director	. 2	post ·	Nomenclature of .
Grade-16 or above.	Welfare, Planning& Dev. or Forest in	Animal Husbandry Education, Social	b) Five year experience in Agriculture,	or Social Psychology and	Animal Husbandry, Agril: Geography	statistics, social works sociology,	recognized University in Economics,	a) 2 nd Class Master Degree from a .	3		Nomenclature of . Qualification for initial recruitment
-					•			-	4	promotion	Qualification for
						years	and not more than 35	Not less than 30 years	5	recruitments	Age limit for initial
A 1.7			Ď	SHClt.	Project Managers & Progress Officers with at least years experience as	Rural Development (including the defunct basis Democracies Dept.)	seniority from amongst the holders of the posts of Assistant Director	i) 25% by initial recruitment, and 75% by on merit with due regards to	6		Method of appointment

ATTESTE

Joiders of the post the overseers By the selection on merit with due regards to sentiority from amongst holders of the Assitts:/Accountants/Senior Stenographer/Senior Auditors with least five years experience as such. Not less than 21 years and not more than 25 Not less than 18 years Not less than 21 years Not less than 25 ii) 75% by initial recruitment and and not more than 25 holders of the post Village Secy: in the Deptt:with at least years experience as such. Not less than 18 years Not less than 21 years Not less than 25 iii) 75% by mitial recruitment and Not less than 25 iii) 75% by mitial recruitment and Not less than 26 iii) 75% by mitial recruitment and Not less than 27 iii) 75% by mitial recruitment and Not less than 28 Not less than 29 iii) 75% by mitial recruitment and Not less than 20 iii) 75% by mitial recruitment and Not less than 25 iii) 75% by mitial recruitment and Not less than 25 iii) 75% by mitial recruitment and Not less than 25 Not less than 25	Qualification from a recognized University Degree from recognized University a) Matticulation or equivalent qualification from recognized board and b) Speed 100 words per minutes in shorthand in English and 40 words per minute in typing Diploma from recognized Institute Degree from recognized University	Assistant / Accountant Stenographer (Senior Scale) Overseer	9 8 7
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	qualification from a recognized University	Superintendent	-
1 1100 6 1111	qualification from a recognized University		<u> </u>
- 11	qualification from a recognized	Director Engineer	
-		Officer / Assistant	•
» ت ت	Degree in Engineering or equivalent	Sub Divisional	اورا
	Geography or Social Psychology		
	Public Admn; Political Science		
Note: Service in defunct vill: Deptt and the purpose of service under this	Animal Husbandry, Agriculture,		•
years holders of the post supervisor, RD in the deptt: with at least.	statistics, social works/ sociology,		
<u>-</u> :	recognized University in Economics,	Officer	_
Not less than 21 years (i) 50% by initial recruitment and	2 nd Class Master Degree from a	Development	<u>-</u>
	Department.		
service such.	Audit Deptt: or Provincial Local Audit		<u>-</u>
years holders of the post Superintendent the Deptt: with a least three years	or G.A.S qualified persons of Pakistan	-	_
and not more than 30 ii) 50% by selection on merit with due regards seniority from amongst	Commence / Business Administration,	•	-
Not less than 21 years (i) 50% by initial recruitment and	2 nd class Master's Degree in	Accounts Officer-	w
	Physics, Chemistry, Mathematics .		
	Geography or Social Psychology,	_	-(
	Science, Public Administration,		_
(Assistant Director Engineer)	Animal Husbandry, Agril: Political		7
years holders of the post Development Officers and Sub-Divisional	statistics, social works suciology,	/Progress Officer	- -
and not more than 30 (ii) 50% by selection on merit with due regards seniority from amongst	recognized University in Economics,	Project Manager	_
	a) 2 ^m Class Master Degree from a	Assistant Director/	2

ATTES

Sd/-xxx
ATTAUR REHMAN KHAN
Secretary to Govt: of N.W.F.P.
Local Covt., Cooperation, Social Welfare, Tourism &
Rairal Development Department.

ATTESTED

Printed and published by the Manager, Staty. Ptg. Deptt., Khyber Pakhtunkhwa, Peshawar.



Government Of Khyber Pakhtunkhwa! Local Government, Elections & Rural Development Department

NOTIFICATION

Dated Peshawar, the 05th April, 2018;

No. SO(LG-1)2-188/SSRC/2018. (25) In exercise of the power conferred by sub-rule (2) of the rule 3 of the Khyber Pakhtunkwha Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the Finance Department, is hereby directs that in this Department's Notification No. DG(RWP)7(2)/73, dated 26.01 1978, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix.-

for serial No. 10 the following shall be substituted, in the respective columns. namely:

10. Supervisor	Atleast Second Class 21 to 30 iii	Seventy-five (75), per cent by
1 1	Bachelor's Degree from a pears .	promotion, on the basis of
	recognized University	seniority-cum-fitness. o from
) /	amongst the Senior Secretary
	1 17 / / / /	Village / Neighborhood Council:
	' > X / / /	with atleast five (05) year service
1 1	i	as such: and
1	100 M	Twenty-five (25) per cent by
i i	MX M/	initial recruitment.":
	_L	

(b) after serial No. 15, the following new entries shall be inserted, in the respectively columns, namely.

Senior
Secretary
Village
Neighborhood
Council

By promotion on the basis of senioritycum-fitness, from amongst the Junior Secretary Village - Neighborhood Council with atleast ten (10) year service as such ", and

(c) for serial No. 16, the following shall be substituted, in the respective columns, namely:

Secretary Village / Neighborhood	Atleast Second Class Intermediate: or equivalent qualification from a recognized Board and atleast six (06) months Certificate in Computer from a recognized Institute with experience in MS- Office, Impage and Internet.	years.	i) Twenty (20) per cent by promotion, on the basis of seniority-cum-fitness. from amongst the Naib Oasids and Chowkidars in the Village. A Neighborhood Council with seniority at tehsil level; having Secondary School Certificate in second division, from a recognized Board or Institute with three (03) year service as such; and
!		4	

ATTESTED

ii) Eighty (80) per cent by initial f recruitment:

Provided that the candidate shall be preferably a bonafide resident of the same Village / Neighborhood Council. W such. candidate is not available in the same Village / Neighborhood Council then the candidates. Village^{*} adjacent Neighborhood Council:

Provided further that in case of non-availability of candidate Village adjacent from Neighborhood Council then from Village i other Neighborhood Council in that Tehsil Council.

SECRETARY TO GOVERNMENT OF KP LOCAL GOVT, FLECTIONS & RURAL DEVELOPMENT DEPARTMENT

Dated Peshawar, the 05th April, 2018

SO(LC-1)2-188/SSRC/2018.-

Copy forwarded to:-

- All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
- All Divisional Commissioners in Khyber Pakhtunkhwa.
- The Secretary to Governor, Khyber Pakhfunkhwa, Peshawar,
- e. The PSO to Chief Minister, Khyher Pakhtunkhwa Peshawar.
- 5... The PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawar,
- 6. The Director General, LG.E&RDD, Khyber Pakhtunkhwa Peshawar.
- 7. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar
- 8. All Head of Attached Departments in Khyher Pakhtunkhwa.
- 9. All Deputy Commissioners in Khyber Pakhtokhwa.
- 10. The Registrar, Peshawar High Court, Peshawar,
- 11. All District and Session Judges in Khyber Pakhtunkhwa.
- 121All Assistant Directors, LG&RDD in Klivber Pakhtunkhwa.
- 13. The Manager Government printing press. Peshawar for publication in the next Government Gazettee Notification, 40 copies of the Notification may be sent to this Department.
 - 14. The PS to Senior Minister for LG.E&RD Khyher Pakhtunkhwa.
 - 15. The PS to Secretary LG.E&RDD Peshawar.
 - 16. The Office Order file.

ATTESTED

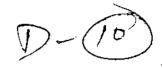
SECTION OFFICER (ESTAB) Phone # 091-9213224

GOVERNMENT



REGISTERED NO. PIII

GAZETTE



KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, WEDNESDAY, 12TH JUNE, 2019.

GOVERNMENT OF THE KHYBER PAKHTUNKHWA LOCAL GOVERNMENT, ELECTIONS AND RURAL DEVELOPMENT DEPARTMENT.

NOTIFICATION

Peshawar, dated the 1st August 2018.

No. SO (LG-I)2-188/SSRC/2018. In exercise of the powers conferred by sub-rule (2) of the rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department, in consultation with the Establishment and Administration Department and the Finance Department hereby directs that in this Department's Notification No. DG (RWP)7(2)/73, dated 26.01.1978, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

(a) for Serial No. 1 the following shall be substituted, in the respective columns, namely:

1.	2.	3.	4.	5.	6,
"1.	Director General.	-	-	-	By transfer from amongst PAS, PCS and PMS officer in BPS-20.".

(b) for Serial No. 1A, the following shall be substituted, in the respective columns, namely:

	1.	2.	3.	4,	5.	6.
;	"1A.	Director.	-	-	-	By promotion, on the basis of seniority-cum-fitness, from amongst Deputy Directors and
	-		,			Assistant Directors (Senior) with at least seven (07) years service as such or twelve (12) years service as Assistant Director and above.
A	TES	TED			,	Note: For the purpose of promotion to the post of Director, there shall be maintained a joint seniority list of Deputy Directors and Assistant Directors (Senior).";

1426 KHYBER PAKHTUNKWHA GOVT: GAZETTE, EXTRAORDINARY, 12th JUNE, 2019

(c) after Serial No. 1A, as so substituted, the following new entries shall be inserted, in the respective columns, namely:

"1B.	Director (Technical).			-	By promotion, on the basis of seniority-cum-fitness, from amongst Deputy Directors (Technical) with at least seven (07) years service as such or twelve (12) years service, as Assistant Engineer and Assistant Director (Technical) and above.
1C.	Deputy Director/Assistant Director (Senior).		-	-	By promotion, on the basis of seniority-cum-fitness, from amongst Assistant Directors with at least five (05) years service as such.
1D.	Deputy Director (Finance and Accounts).	~	-	-	By promotion, on the basis of seniority-cum-fitness, from amongst Accounts Officers with at least five years service as such.
1E.	Deputy Director (Technical)				By promotion, on the basis of seniority-cum-fitness, from amongst Assistant Engineers and Assistant Directors (Technical) with five (05) years service as such and having a Bachelor's Degree in Civil Engineering."; Note: For the purpose of promotion to the post of Deputy Director (Technical), there shall be maintained a joint seniority list of Assistant Engineers and Assistant Directors (Technical).";

- (d) against Serial No. 2, in column No. 2, the slash and words "/Planning Officer" shall be deleted.
- (e) against Serial No. 3, in columns 3 and 6, the following shall respectively be substituted, namely:

3.		6.
"At least Second Class Master's Degree in Commerce / Business Administration/BS (Honours) Finance and Accounting or its equivalent qualification from a recognized University.	(i).	Fifty (50) per cent by promotion, on the basis on the basis of seniority-cumfitness, from amongst the Accountants with at least five (05) years service as such: Provided that if no suitable officer is available for promotion then by transfer.; and
	(ii)	fifty (50) per cent by initial recruitment.".

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KHYBER PAKHTUNKWHA GOVT: GAZETTE, EXTRAORDINARY, 12th JUNE, 2019 1427

- (f) against Serial No. 5, in column No. 2, for the words "Sub Divisional Officer", the words and brackets "Assistant Director (Technical)" shall be substituted.
- (g) against Serial No. 7, in column Nos. 2 and 6, for the existing entries, the following shall respectively be substituted, namely:

2.		6.
"Assistant.	(i)	Seventy-five per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Clerks with at least three years' service as such; and
	(ii)	twenty-five percent initial recruitment.";

(h) against Serial No. 9, in column No. 6, in clause (iii), the full-stop, appearing at the end shall be replaced by colon and thereafter the following proviso shall be added, namely:

"Provided that if no suitable officer is available for promotion then by transfer.";

(i) after Serial No. 9, as so amended, the following new entries shall be inserted, in the respective columns, namely:

1	2.	3.	4.	5.	6.
1 "9B.	Auto CAD Operator.	(a) At least Second Class Bachelor's Degree from a recognized University; (b) six months Diploma in Civil AutoCAD from a	4.	18 to 30 years.	6. By initial recruitment.";
	_	recognized Technical Institute: and (c) at least two years experience in relevant field.			

(j) for Serial No. 11 the following shall be substituted, in the respective columns, namely:

1.	2,	3.	4.	5.	6.
"11.	Accountant.	At least Second Class	-	21 to 30	By initial
		Bachelor's Degree in Business Administration	1	years.	recruitment:
		or its equivalent qualification, from a recognized University.			Provided that till the appointment of a suitable
				-	person on initial
TTE	STED			,	recruitment the post shall be filled by
1					transfer.";

(k) for Serial No. 14, the following shall be substituted, in the respective columns, namely:

1428 KHYBER PAKHTUNKWHA GOVT: GAZETTE, EXTRAORDINARY, 12th JUNE 2019

1.	2.		GOVT: GAZETTE, EX	4,	5.	6.
14.	Computer	(a)	At least Second	'	21 to 32	By initial
	Operator.		. Class Bachelor's		years.	recruitment."
-			Degree in	•		
	,		Computer			
	L		Science (BCS)/			
			Information			
			Technology			·
			(BIT) (04-years)			
			or its equivalent			1
			qualification			-
			from a			
	-		recognized	•	j	
			University; or			
						•
•		(b)	At least Second			1
			Class Bachelor's	_		
			Degree from			
			recognized			
		1	University with			
			one year	ļ ·	-	
			Diploma in			
			Information			
			Technology from			
]		a recognized			
			Board of	1	ļ	
			Technical		٠.	
			Education.			

(j) after Serial No. 19, the following new entries shall be inserted, in the respective columns, namely:

j	1.	2.	3.	4.	5.	6.
	"19A.	Driver.	Preferably literate and	·	18 to 40	By initial
			holding a valid Driving		years.	recruitment.";
]			License.	i		and
			· ·	'		·

(l) for Serial No. 20, in column No. 2, after the word and slash "Chowkidar/", the word "Sweeper" shall be added.

SECRETARY TO
GOVERNMENT OF KHYBER PAKHTUNKHWA LOCAL
GOVERNMENT ELECTIONS AND RURAL DEVELOPMENT
DEPARTMENT.

Printed and published by the Manager, Staty. Ptg. Deptt., Khyber Pakhtunkhwa, Peshawar.

ATTESTED

E. (14)

Page NOS



Government Of Khyber Pakhtunkhwa Local Government, Riections & Rurat Development Department



MOTIFICATION

. Dated Feshawar, the 16th October, 2019

No. SO(EVLG/2-188/SSRC/2019.— In exercise of the powers conferred by sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the Finance Department hereby directs that in this Department's Notification No. DG(RWP)7(2)/73, dated 26.01.1978, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

- Against Serial No. 2, in column No. 6, for the existing catries, the following shall be substituted, namely:
 - "Fifty per cent by initial recruitment through Khyber Pakhtunkhwa Public Services Commission on the pattern of syllabus prescribed for the Officers in Provincial Management Service.":
 - ii) Forty per cent by promotion, on the basis of sentority-cum-fitness, from amongst the Progress Officers with at least three years service as such; and
 - iii) Ten percent by promotion, on the basis of semonity-cum-fitness, from amongst the Semon Scale Stenographers and Assistants with at least three years service as stich.";
 - <u>Mote:</u> For purpose of promotion to the post of Assistant Director against ten percent quota, there shall be maintained a joint seniority list of Senior Scale. Stenographers and Assistants.":
- b) against Serial No. 3, in column No.6, for the existing entries, the following shall be substituted, namely:
 - Entry (50) per cent by promotion on the basis of seniority-cum-fitness, from amongst the Superintendents with at least three years service as such; and
 - ii) Fiffy (50) per cent by initial recruitment.":
- against Serial No.5, in column No. 6, for the existing entries, the following shall be substituted, namely:
 - i) "Twenty per cent by promotion, on the basis of seniority-cum-fitness, from amongst diplome holder Sub-Engineers with at least ten years service as such and have passed the prescribed Departmental Examination;
 - it) Ten per cent by promotion, on the basis of senionty-constituess, from amengst, Sub-Engineers with at feast live years service as such and who possess. Bachelor's Degree in Engineering on its equivalent qualification from a recognized University, and
 - iii) Seventy per cent by initial recrumment,"

ATTESTED

- d) against Secial No. 6, in column No.6 for the words, colon and slash "Assisiants/Accountants/Senior Scale Stenographer", the word "Accountants" shall
- against Serial No. 15A, in column No 6, for the word, figure and brackets "ten (10)", the word, figure and brackets "five (05)" shall be substituted; and
- against Serial No. 16, in column No.6 for the existing entry, the following shall be
 - Twenty (20) per cent by promotion, on the basis of seniority-cum-fitness, from (i amongst the Naib Qasids and Chowkidars in the Village Council / Neighborhood Council with semority at Tehnil level, having Secondary School Certificate in Second Division from a recognized Board or Institute and six months Diploma in IT from recognized Board / Institute with three (03) years service as such: and
 - Eighty (80) per cent by initial recruitment.

Provided that the candidate shall be preferably a bonafide resident of the same Village / Neighborhood Council. If such candidate is not available in the same Village Council / Neighborhood Council then the candidate from adjacent Village Council / Neighborhood Council;

Froxided further that in case of non-availability of candidate from adjacent Village Council / Neighborhood Council then from any other Village Council / Neighborhood Council in that Tehsit 1.

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA LG,E&RD DEPARTMENT

No. SO(E)LG/Z-138/SSRC/2019.-

Dated Peshawar, the 16th October, 2019

Copy forwarded to:-

- All Administrative Secretarics to Government of Khyber Pakhtunkhwa.
- All Divisional Commissioners in Hhyber Pakhunkhwa
- The Secretary to Governor Khyber Pakhitinkhyea, Peshawar,
- The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.
- The PSO to Chief Secretary, Khyner Pakhtunkhwa Peshawa.
- The Director General, LG, P&RDD, Khyber Pakhtunkhwa Peshawar,
- The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar,
- All Head of Attached Departments in Khyper Pakhtunkhwa.
- 9. All Deputy Commissioners in Khyber Pakhtunkhwa
- 10. The Registrar, Peshawar High Court, Peshawar,
- 11 All District and Session Judges in Khyber Pakhtunkhwa
- 12. All-Assistant Directors: EGCRDD in Knyber Pakhtunkhwa.
- 13. The Manager Government printing press, Poshawar for publication in the next Governmen. Gazettee Notification, 100 copies of the Notification may be sent to this Department.
- 14. The PS to Senior-Minister for LG EXCRD Khyber Pakhtunkliwa
- 15. The PS to Secretary LG, E&RDD Peshawar

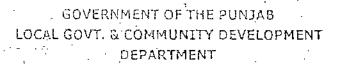
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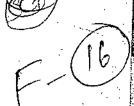
The Office Order file.

(HAJI MUHAMMAD) SECTION OFFICER (ESTAB)

Phone # 991-9213224







Dated Lahore the 27th July, 2018

NOTIFICATION

NO.SO.Admn-I(LG)1-4/15: The Competent Authority is pleased to approve up-gradation of the following posts of Secretary Union Councils appointed under the Punjab LG&R 7 Service Rules, 1981 and Punjab Government District Service (Town/Tehsil Municipal cadro) Rules 2005 w.e.f 01.07.2018:-

Sŕ#	Post .	Present Scale	Up gradation	
<u>i.</u>	Union Secretary (Committee)	8S- 07	BS-11	
2.	Union Secretary (CD)	БS-11	BS-14	\ \ \ '~
		*		.

The additional financial implication shall be met out of the budget of the respective Unión Councils

> LOCAL GOVT. & COMMUNITY DEVELOPMENT DEPARTMENT

NO & DATE EVEN

A copy is forwarded for information & necessary action to: -

- 1. The Secretary, Government of the Punjab, Finance Department
- 2. The Director General, LG&CD Punjab Lahore with the reduest to amend the service rules accordingly.
- 3. All the Directors, LG&CD in the Punjab.
- 4. All the District Accounts Officers in the Punjab.
- 5. All the Deputy Directors, LG&CD in the Punjab
- 6. All Chairmen of Union Councils, in the Punjab.
- The Assistant Director (UC), at the PHQ, Lahore.
- .8. Master file.

(MABMOOD AHMAD) DEPUTY SECRETARY (ADMN.)

Rana Mahboob Hussain. All Punjab Secretages UCs Association Punjab.

ATTESTED.

THE SECRETARY,

Local Government, Elections & Rural Development Department,

Khyber Pakhtunkhwa, Peshawar.

DEPARTMENTAL APPEAL AGAINST THE NOTIFICTIONS DATED 5.4.2018 & 16.10.2019 AND FOR THE REVIVAL/RESTORATION THE OLD SERVICE STRUCTURE NOTIFIED ON 26.01.1978

Sir,

Most respectfully, it is stated that I am working as Village Secretary under your kind control. I am qualified and performing my duties with my full devotion. According to the service structure Notified on 26.01.1978, the prospects of promotion for Village Secretaries were in line. That according to the said rules of 1978, after appointment the village secretaries has 75% promotion quote to the post of Supervisor (BPS-14) & Assistant Accountant (BPS-14), 50% quota was reserved from supervisor & Assistant Accountant to Development Officer (BPS-16) and where after from the post of Development Officer to the Village Secretary was in a combined share of 50% with amongst the sub-divisional officer and Assistant Director Engineer to the post of Assistant Director/Project Mariager/Progress Officer, then, 75% quota was reserved from Assistant Director to the post Deputy Director (BPS-18). All these promotions were based on the basis of senionty cum fitness. The same service structure dated 26.01.1978 was amended vide notification dated 05-04-2018 whereby the post of village secretary was bifurcated into two sub cadres i.e. Senior Secretary Village Neighborhood Council (8PS-11) and Junior Secretary Village Neighborhood .Council (BPS-09) and as such prospects of promotion was given from Junior Village Secretary to Senior and then to the post of Supervisor (BPS-14) with 75%

Astonishingly the old service structure was further amended through impugned notification dated 16-10-2019 whereby the channel of promotions has been limited to the post of Developmental Officer (BPS-16) and where after no channel for promotion has been lift for the cadre of Village Secretary rather the channel of promotion has been washed/done away in utter violation of Law & APT Rules, 1989.

It is therefore, requested that the impugned Notifications dated 15.04.2018 & 16.10.2019 may be set aside and the old service Rules Notified on 26.11.1978 may be revived/restored and as such I may be considered for promotion under the old rules dated 26.01.1978.

Secretary (VC/NH, Council)

Shalbanel USman Ghan

Obediently Yours.

Cell No. <u>2345/967/4</u>

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Before the KP Service Tribened, Pashawar

OF 2020

Usman Ghan; (APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Gort: of My others (DEFENDANT)

Do hereby appoint and constitute NOOR MOHAMMAD KHATTAK, Advocate, Peshawar to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated.____/2020

Usman Ghani

<u>ACCEPTED</u> NOOR MOHAMMAD KHATTAK

SHAHZULLAH YOUSAFZAI

MIR ZAMAÑ-SAFI ADVOCATES

OFFICE:

Flat No.3, Upper Floor, Islamia Club Building, Khyber Bazar, Peshawar City. Phone: 091-2211391 Mobile No.0345-9383141

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 9243 /2020.

1.3		•
Mr. USman	(Shani	
THE OSTICOLY	<u> </u>	Appellant

VERSUS

- 1. The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat Peshawar.
- 2. The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
- 3. The Secretary Local Government Development Department, Civil Secretariat, Peshawar
- 4. The Secretary (Finance) Department, Khyber Pakhtunkhwa Civil Secretariat, Peshawar
- 5. The Director General, Local Government & Rural Development Department, Khyber Pakhtunkhwa

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4	Notification No. SO(LG-I)2-188/SSRC/2018 dated 01.08.2018	Annex-II	8-11
5	Notification No. SO(LG-I)2-188/SSRC/2018 dated 16.10.2019 alongwith 1978 Service Rules	Annex-III	12-18
6	No.SO (FR) FD/8-25/2014/Local Govt./3379 dated 1st February 2018	Annex-IV	19

Respondents

Through

Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 9243 /2020.

Mr. USman	Ghani	Appellant
-----------	-------	-----------

VERSUS

- 1. The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat Peshawar.
- 2. The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
- 3. The Secretary Local Government Development Department, Civil Secretariat, Peshawar.
- 4. The Secretary (Finance) Department, Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
- 5. The Director General, Local Government & Rural Development Department, Khyber Pakhtunkhwa.

....Respondents

JOINT PARA WISE REPLY ON BEHALF OF RESPONDENTS No. 1 to 5

Respectfully Sheweth!

Preliminary Objections:

- i. The Appellants have no locus standi and cause of action.
- ii. The Appellants have not come to the Service Tribunal with clean hands.
- iii. The Appellants have submitted incorrect & irrelevant documents and concealing the facts & truth from the Honorable Service Tribunal.
- iv. The Appeal is not maintainable.
- v. The present appeal is time barred.
- vi. That the instant appeal is bad for mis-joinder and non-joinder of necessary and proper parties.
- vii. That this Honorable Tribunal lacks jurisdiction to adjudicate upon the matter.

ON FACTS

- 1. Pertains to record.
- 2. Incorrect, The Provincial Government vide Notification bearing No. SO (LG-I)2-188/SSRC/2018 dated 05.4.2018, No. SO (LG-I)2-188/SSRC/2018 dated 01.8.2018 and No. SO(LG-I)2-188/SSRC/2018 dated 16.10.2019 has allowed the channel of promotion to the appellant upto the post of Director (BPS-19) instead of Deputy Director (BPS-18) previously allowed under Service Rules Vide Notification No. DG (RWP)7(2)/73 dated 26-01-1978. (Annexure as I, II & III).
- 3. In reply, it is stated that the promotion quota to the post of Supervisor (BPS-14) still exists whereas promotion to the post of Assistant Accountant (BPS-14) has been abolished, being dying cadre. Similarly, the post, of Development Officer and Project Manager do not exist anymore, therefore, the same has been deleted from the Service



Rules thus wrongly pointed out by the petitioners. However, channel of promotion of the Village Secretary upto the post of Director (BPS-19) still exists.

- 4. The Provincial Government vide letter No.SO (FR) FD/8-25/2014/Local Govt./3379 dated 1st February 2018 (Annex-IV) has upgraded the posts of Village Secretary as under:
 - a. 850 posts of Village Secretary upgraded from BPS-07 to BPS-11 and re-designated as Senior Village Secretaries having 10 years' service.
 - **b.** 2961 posts of Village Secretary upgraded from BPS-07 to BPS-09 and redesignated as Junior Village Secretary having less than 10 years' service.

In addition to above.

c. 89 posts of Supervisor upgraded from BPS-09 to BPS-14.

The channel of promotion of Village Secretary upto the post of Director (BPS-19) is intact.

Therefore necessary amendments in the Service Rules Notified on 26.01.1978 have been made, keeping in the view the requisite length of service for promotion of Junior Village Secretary (BPS-9) to the post of Senior Village Secretary (BPS-11) and it is worth mentioning that the onward channel of promotion is still intact upto the post of Director (BPS-19).

It is further submitted that the length of service for promotion of Junior Village/Neighbourhood Secretary (BPS-09) to the post of Senior Village/Neighbourhood Secretary (BPS-11) has been reduced and amended from 10 years to 5 years vide Notification No. SO (LG-I) 2-188/SSRC/2018 dated 16.10.2019, thereby allowing straightaway promotion to the petitioners after completion of 5 years' service instead of waiting for 10 years.

- 5. Irrelevant, hence denied.
- 6. As already explained, the channel of promotion has been maintained and amendments in Service Rules have been made after upgradation of the Village/Neighbourhood Secretary from BPS-07 to BPS-9 for Junior Village Secretary and BPS-07 and BPS-11 for Senior Village Secretary respectively.

Furthermore, as already explained the length of service for promotion to Senior Village/Neighbourhood Secretary has been reduced from 10 years to 5 years, hence appellants have no locus standi/cause of action to file the instant service appeal.

REPLY TO GROUNDS:

A. Incorrect, There is no bar in Service Rules for promotion from the post of Village Secretary (BPS-09) upto the post of Director (BPS-19) LG&RD. (Annex as I,II & III).



4

- B. Incorrect. The Appellants have been treated as per Law/Rules/Policy.
- C. Incorrect, Already explained above.
- D. Incorrect. The respondents acted as per Law/Rules/Policy.
- E. Incorrect. The Service Rules provide an ample opportunity for promotion of Village Secretary upto the post of Director (BPS-19) LG&RDD on his turn as per Law/Rules/Policy.
- F. Incorrect, already explained in Para 3, 4 and 6 of the facts.
- G. Incorrect. Promotions take place as per Law/Rules/Policy in vogue.
- H. The Respondents seek permission to produce further record and relevant arguments during the tribunal proceedings.

It is, therefore, humbly prayed that the instant Service Appeals being devoid of merits may be dismissed with cost please.

Director General LG&RD Khyber Pakhtunkhwa Respondent No.3

Secretary LG,E&RDD, Khyber Pakhtunkhwa Respondent No.3

Secretary Phance Department, Khyber Pakhtunkhwa Respondent No.4

Secretary Establishmen Department, Khyber Pakhtunkhwa

Respondent No.1 & 2



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 9243 /2020.
Mr. USman Ghawi Appellant
VERSUS
 The Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat Peshawar. The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar. The Secretary Local Government Development Department, Civil Secretariat, Peshawar. The Secretary (Finance) Department, Khyber Pakhtunkhwa Civil Secretariat, Peshawar. The Director General Local Government & Burel Development & Parel Develop
5. The Director General, Local Government & Rural Development Department, Khyber Pakhtunkhwa.
<u>AFFIDAVIT</u>
I, Mr. Azaz-ul-Hassan office Assistant (Litigation) in Directorate General Local Government & Rural Development, Peshawar solemnly affirm and declare on oath that Joint Para wise reply in Appeal. No. 9243 "Usman Chani"
are true and correct to the best of my knowledge & belief and nothing has been intentionally concealed from this Honorable Court.
Deponent CNIC #. 17301-2416976-9 Cell #.0336-9170959
Advocate General Khyber Pakhtunkhwa

Local Government, Elections & Rural
Development Department
DATED

NOTIFICATION

LOCAL GOVERNMEN

Dated Peshawar, the 05th April, 2018

No. SO(LG-1)2-188/SSRC/2018.-

in exercise of the power conferred by sub-rule (2)

of the rule 3 of the Khyber Pakhtunkwha Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the

Finance Department, hereby directs that in this Department's Notification No.

DG(RWP)7(2)73, dated 26.01.1978, the following further amendments shall be made, namely:

<u>AMENDMENTS</u>

In the Appendix,-

for serial No. 10 the following shall be substituted, in the respective columns, namely:

" 10.	Supervisor'	Atleust Second Class Bachelor's Degree from a recognized University.		Seventy-five (75) per cent by promotion, on the basis of seniority-cum-fitness, from
		M. C. S.	 - ii	amongst the Senior Secretary Village / Neighborhood Council, with atleast five (05) year service as such; and Twenty-five (25) per cent by initial recruitment.":

(b) after serial No. 15; the following new entries shall be inserted, in the respectively columns, namely.

"15A:	Senior		******	By promotion, on the basis of senlority-
	Secretary .	•		cum-fitness, from amongst the Junior
	Village /	5 		Secretary Village / Neighborhood
•	Neighborhood			Council, with atleast ten (10) year
	Council. ,	•		service as such."; and

(c) for serial No. 16, the following shall be substituted, in the respective columns, namely:

Secretary Village / Neighborhood Council.	Atleast Second Class Intermediate or equivalent qualification from a recognized Board and atleast six (06) months Certificate in Computer from a recognized Institute with experience in MS-Office. Impage and Intermet:	30 years,	Twenty (20) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids and Chowkidars in the Village / Neighborhood Council with seniority at tehsil level, having Secondary School Certificate in second division: from a recognized Board or Institute with three (03) year service as such; and
---	--	--------------	--

Lok John

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angoingly? 11:

Eighty (80) per cent by initial recruitment;

Provided that the candidate shall be preferably a bonafide resident of the same Village / Neighborhood Council. If such candidate is not available in the same Village / Neighborhood Council then the candidates. adjacent Village Neighborhood Council:

Provided further that in case of non-availability of candidate adjacent Village Neighborhood Council then from other Village Neighborhood Council in that Tehsil Council.

SECRETARY TO GOVERNMENT OF KP LOCAL GOVT. ELECTIONS & RURAL DEVELOPMENT DEPARTMENT

No. SO(LG-D2-188/SSRC/2018.-

Dated Peshawar, the QS!N April, 2018

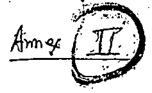
Copy forwarded to:-

- 1. All Administrative, Secretaries to Government of Khyber Pakhtunkhwa.
- 2. All Divisional Commissioners in Khyber Pakhtunkhwa,
- 3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar,
- 4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.
- 5. The PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawar.
- 6) The Director General, LG.E&RDD. Khyber Pakhtunkhwa Peshawur.
- 7. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
- 8. All Head of Attached Departments in Khyber Pakhtunkhwa.
- 9. All Deputy Commissioners in Khyber Pakhtukhwa.
- 10. The Registrar, Peshawar High Court, Poshuwar,
- 11. All District and Session Judges in Khyber Pakhtunkhwa.
- 12. Ali Assistani Directora, LO&RDD in Khyber Pakhtunkhwa.
- 13. The Manager Government printing press. Peshawar for publication in the next Government Gazettee Notification, 40 copies of the Notification may be sent to this Department.
- 14. The P3 to Senior Minister for LO, E&RO Khyber Pakhtunkhwa.
- 15. The PS to Sicretary LG.E&RDD Peshawar.
- 16. The Office Order file.

SECTION OFFICER (ESTAB)

Phone # 091-9213224







Government Of Khyber Pakhtunkhwa Local Government, Elections & Rural Development Department

NOTIFICATION

Dated Peshawar, the 01st August, 2018

No. SO(LG-N2-188/SSRC/2018.— in exercise of the power conferred by sub-rule (2) of the rule 3 of the Khyber Pakhtunkwha Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Local Government, Elections and Rural Development Department Khyber Pakhtunkhwa, in consultation with the Establishment & Administration Department and the Finance Department, is pleased to direct that in this Department's Notification No. DG(RWP)7(2)/73, dated 26.01.1978, the following further amendments shall be made, namely:

AMENDMENTS

In the Appendix,-

(a) for Serial No. I the following shall be substituted, in the respective columns, namely:

1,	2.	3,	4.	5.	6.
	Director General.	- - -	-	-	By transfer from amongst PAS, PCS and PMS officers in BPS-20.".

(b) for Serial No. 1A, the following shall be substituted, in the respective columns, namely:

. 1.	2.	3.	4.	· 5.	T 6
"JA.	Director,			-	By promotion, on the basis of seniority- cum-fitness, from amongst Deputy Directors and Assistant Directors (Senior) with at least seven (07) years' service as such or twelve (12) years' service as Assistant Director and above.
		:			Note: For the purpose of promotion to the post of Director, there shall be maintained a joint seniority list of Deputy Directors and Assistant Directors (Senior).";

after Serial No. 1A, as so substituted, the following new entries shall be inserted, in the respective columns, namely:

"1B.	(Technical).	1		,	By promotion, on the basis of seniority- cum-fitness, from amongst Deputy Directors (Technical) with at least seven (07) years' service as such or twelve (12) years' service, as Assistant Engineer and Assistant Director (Technical) and above.
1C	Deputy Director/Assistant Director (Senior).	•	-		By promotion, on the basis of seniority- cum-fitness, from amongst Assistant Directors with at least five (05) years' service as such.



	Deputy Director (Finance and Accounts).	-	•	 -	By promotion, on the basis of seniority- cum-fitness, from amongst Accounts Officers with at least five years' service as such.
IE.	Deputy Director (Technical).	-	-	•	By promotion, on the basis of seniority- cum-fitness, from amongst Assistant Engineers and Assistant Directors (Technical) with five (05) years' service as such and having a Bachelor's Degree in Civil Engineering.";
					Note: For the purpose of promotion to the post of Deputy Director (Technical), there shall be maintained a joint seniority list of Assistant Engineers and Assistant Directors (Technical).";

- against Serial No. 2, in column No. 2, the slash and words "/Planning Officer" shall be deleted.
- (e) against Serial No. 3, in columns 3 and 6, the following shall respectively be substituted, namely:

1.

Degree in Commerce / Business Administration/BS (Honours) Finance and Accounting or its equivalent qualification from a recognized University. seniority-cum-fitness, from amongst the Accountants with at least five (05) years' service as such: Provided that if no suitable officer is available for promotion then by transfer.; and	3.	6.
	Administration/BS (Honours) Finance and Accounting or its equivalent qualification from a	seniority-cum-fitness, from amongst the Accountants with at least five (05) years' service as such: Provided that if no suitable officer is available for

- (f) against Serial No. 5, in column No. 2, for the words "Sub Divisional Officer", the words and brackets "Assistant Director (Technical)" shall be substituted.
- (g) against Serial No. 7, in column Nos. 2 and 6, for the existing entries, the following shall respectively be substituted, namely:

	2.	6.
"Assistant.	:	 (i) Seventy-five per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Clerks with at least three years' service as such; and (ii) twenty-five percent by initial recruitment.";

- (h) against Serial No. 9, in column No. 6, in clause (iii), the full-stop, appearing at the end shall be replaced by colon and thereafter the following proviso shall be added, namely:
 - "Provided that if no suitable officer is available for promotion then by transfer.";
- (i) after Serial No. 9, as so amended, the following new entries shall be inserted, in the respective columns, namely:

<u>1, </u>	2.	3.	4.	5.	6,
"9B.	Auto CAD Operator.	(a) At least Second Class Bachelor's Degree from a recognized	•	18 to 30 years.	By initial recruitment.";
	ì	University;		i	

To

(b) six months Diploma in Civil AutoCAD		
from a recognized Technical Institute; and		
(c) at least two years' experience in relevant field.	·.	,

(j). for Serial No. 11 the following shall be substituted, in the respective columns, namely:

1,	2.	3.	4.	5.	6.
"11.	Accountant,	At least Second Class Bachelor's Degree in Business Administration or its equivalent qualification, from a recognized University.		21 to 30 years.	By initial recruitment: Provided that till the appointment of a suitable person on initial recruitment the post shall be filled by transfer.";

(k) for Serial No. 14, the following shall be substituted, in the respective columns, namely:

¹ . 1.	2.	3.	4.	5.	6.
·"14.	Computer	(a) At least Second Class		21 to 32	By initial
	Operator.	Bachelor's Degree in	'	years.	recruitment.";
		Computer Science		-	
		(BCS)/ Information			
	1	Technology (BIT)			1
÷		(04-years) or its			1
	1	equivalent			
	1	qualification from a		Į	
١.	1	recognized			
ļ	1	University; or	ı	1	
	1	(b) At least Second Class			1
-	ľ	Bachelor's Degree	l		
ŀ	1	from recognized			
İ	Į.	University with one	1	1	
) .	:[year Diploma in	1	1.	
ļ.		Information	1		
].		Technology from a			
] :	1	recognized Board of			1
ŀ		Technical Education.	1	ļ	1

(l) after Serial No. 19, the following new entries shall be inserted, in the respective columns, namely:

· 1.	2.	3.	4.	5.	б.
"19A.	Driver.	Preferably literate and holding a valid Driving	-	18 to 40 years.	By initial recruitment,"; and
ļ: '		License.]	

(m) for Serial No. 20, in column No. 2, after the word and slash "Chowkidar/", the word "Sweeper" shall be added.

SECRETARY TO GOVERNMENT OF KP LOCAL GOVT. ELECTIONS & RURAL DEVELOPMENT DEPARTMENT

No. SO(LG-I)2-188/SSRC/2018.-

Dated Peshawar, the 01st August, 2018

Copy forwarded to:-

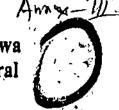
- 1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa.
- 2. All Divisional Commissioners in Khyber Pakhtunkhwa.
- 3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
- 4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.
- 5. The PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawar.
- 6. The Director General, LG,E&RDD, Khyber Pakhtunkhwa Peshawar.
- 7. The Secretary, Khyber Pakhtunkhwa Public Service Commission, Peshawar.
- 8. All Head of Attached Departments in Khyber Pakhtunkhwa.
- 9. 'All Deputy Commissioners in Khyber Pakhtukhwa.
- 10. The Registrar, Peshawar High Court, Peshawar.
- 11. All District and Session Judges in Khyber Pakhtunkhwa.
- 12. All Assistant Directors, LG&RDD in Khyber Pakhtunkhwa.
- 13. The Manager Government printing press, Peshawar for publication in the next Government Gazettee Notification. 40 copies of the Notification may be sent to this Department.
- 14. The PS to Secretary LG, E&RDD Peshawar.

15. The Office Order file.

(HAJI MUHAMMAD) SECTION OFFICER (ESTAB) Phone # 091-9213224



Government Of Khyber Pakhtunkhwa Local Government, Elections & Rural Development Department



NOTIFICATION

Dated Peshawar, the 16th October, 2019

In exercise of the powers conferred by sub-rule (2)

of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer)

Rules, 1989, the Local Government, Elections and Rural Development Department Khyber

Pakhtunkhwa, in consultation with the Establishment & Administration Department and the

Finance Department hereby directs that in this Department's Notification No. DG(RWP)7(2)77

dated 26.01.1978, the following further amendments shall be made, namely:

In the Appendix,

a) y Against Serial No. 2, in column No. 6, for the existing entries, the following shall be substituted, namely:

- "Fifty per cent by initial recruitment through Khyber Pakhtunkhwa Public : Services Commission on the pattern of syllabus prescribed for the Officers in Provincial Management Service.";
- Forty per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Progress Officers with at least three years service as such; and
- Ten percent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Scale Stenographers and Assistants with at least three years service as such.";

Note: For purpose of promotion to the post of Assistant Director against ten percent quota, there shall be maintained a joint seniority list of Senior Scale ... , Stenographers and Assistants.";

- against Serial No. 3, in column No.6, for the existing entries, the following shall be b) substituted, namely:
 - "Fifty (50) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Superintendents with at least three years service as such; and
 - Fifty (50) per cent by initial recruitment.";

against Serial No.5, in column No. 6, for the existing entries, the following shall be fulbshituted, namely:

"Twenty per cent by promotion, on the basis of seniority-cum-fitness, from amongst diploma holder Sub-Engineers with at least ten years service as such

and have passed the prescribed Departmental Examination;

Ten per cent by promotion, on the basis of seniority-cum-fitness, from amongst Sub-Engineers with at least five years service as such and who possess Bachelor's Degree in Engineering or its equivalent qualification from a recognized University; and A STATE OF THE STA

eventy per cent by initial recruitment.";

against Serial No. 6, in column No.6, for the words, colon and slash Assistants/Accountants/Senior Scale Stenographer", the word "Accountants" shall be substituted;

- the word, figure and brackets "five (05)" shall be substituted; and
 - n against Serial No. 16, in column No.6 for the existing entry, the following shall be substituted, namely:
- Twenty (20) per cent by promotion, on the basis of seniority-cum-fitness, from amongst the Naib Qasids and Chowkidars in the Village Council / Neighborhood Council with seniority at Tehsil level, having Secondary School Certificate in Second Division from a recognized Board or Institute and six months Diploma in IT from recognized Board / Institute with three (03) years service as such and
 - ii) Eighty (80) per cent by initial recruitment:

Provided that the candidate shall be preferably a bonafide resident of the same Village / Neighborhood Council. If such candidate is not available in the same Village Council / Neighborhood Council then the candidate from adjacent Village Council / Neighborhood Council;

Provided further that in case of non-availability of candidate from adjacent. Village Council / Neighborhood Council then from any other Village Council / Neighborhood Council in that Tehsil.".

SECRETARY TO GOVERNMENT OF KHYBER PAKHTUNKHWA LG & RD DEPARTMENT

No. SO(E)LG/2-188/SSRC/2019.

国际工作

Dated Peshawar, the 16th October, 2019

: Copy forwarded to:-

- 1. All Administrative Secretaries to Government of Kliyber Pakhtunkhwa.
- 2. All Divisional Commissioners in Khyber Pakhtunkhwa.
 - 3. The Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
 - 4. The PSO to Chief Minister, Khyber Pakhtunkhwa Peshawar.
 - 5. The PSO to Chief Secretary, Khyber Pakhtunkhwa Peshawar.
 - 6. The Director General, LO, E&RDD, Khyber Pakhtunkhwa Peshawar.
 - 7. The Secretary Khyber Pakhtunkhwa Public Service Commission, Peshawar.
 - 8. All Head of Attached Departments in Khyber Pakhtunkhwa.
 - 9. All Deputy Commissioners in Khyber Pakhtunkhwa.
- المارية المار
 - 11. All District and Session Judges in Khyber Pakhtunkhwa.
 - 12. All Assistant Directors, LO&RDD in Khyber Pakhtunkhwa.
 - 13. The Manager Government printing press, Peshawar for publication in the next Government Gazettee Notification. 100 copies of the Notification may be sent to this Department.
 - 14. The PS to Senior Minister for LG, E&RD Khyber Pakhtunkhwa.
 - 15. The PS to Secretary LG, E&RDD Peshawar.

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16. The Office Order file.

(HAJI MUHAMMAD) SECTION OFFICER (ESTAB) Phone # 091-9213224"

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GOVERNMENT OF NORTH WEST FRONTIER PROVINCE LOCAL GOVERNMENT, ELECTION AND RURAL DEVELOPMENT DEPARTMENT

NOTIFICATION

Peshawar, dated the 26th January, 1978

borne on the Rural Development Department specified in column 2 of the said appendix. others conditions specified in column 3 to 6 of the appendix to this Notification, which shall be applicable to posts Welfare, Tourism and Rural Development Department is pleased to lay down the method of appointment, qualification and Services and General Administration Department and the Finance Department, the Local Government Cooperation, Social No DG(RWP) 7(2)/73: In exercise of the powers conferred by sub-rule (2) of the Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1975 and in consultation with the Information, rule 3 of the North West Frontier

--sd-

(Atta Ur Rehman Khan)
Secretary to Govt: of N.W.F.P
Local Govt:, Cooperation,
Social Welfare, Tourism and
Rural Development Department

No.DG(RWP)7/(2)73.

Copy of the above forwarded to the:-

- 1. All Administrative Secretaries to Government of NWFP.
- All Divisional Commissioners in NWFP.
- Secretary to Governor, NWFP, Peshawar.
- 4. Secretary, Public Service Commission, NWFP, Peshawar
- All Heads of Attached Department in NWFP.
- All Deputy Commissioner/Political Agent in NWFP.
- 7. All District and Session Judge in NWFP.
- 8. Registrar, Peshawar High Court Peshawar
- 9. Deputy Secretary-II, I S&GAD
- .0. All Section Officer in S&GAD.
- Section Officer (Legis), Govt of NWFP, Law Department with to SO Reg 1(4)76/452 dated 8th October, 1978
- Section Officer (Inform:), Govt of NWFP, S&GAD with reference to his letter No SO 5-III(IS&GAD)4-6/75 dated 8th
- Manager Government Printing Press, Peshawar for publication in the next Government Gazettee Notification, 30 Copies of the Notification may be sent to this Department.
- Deputy Director (PWP), Rural Development, NWFP, Peshawar for information with reference to so-Services-III IS&RAD No.SOS-III(S&GAD)4-6/75 dated 21st January, 1978.

•		:				
	S.No.		n i		Age_limit for	Method of appointment
		of post	initial recruitment	for promotion	initial	1
	L	2	ω	4	5	6
	۲	Deputy	a) 2 nd Class Master's		Not less than	i) 25% by initial recruitment and 75% by
		Directors	Degree from a		years	merit with due regard to seniority
			recognized		not more than	amongst the holders of the posts of
			University in		35 years	
			Economics,			(including the defunct basis Democracies
			Statistics, Social			
			Works/ Sociology,			
			Animal Husbandry,			as such.
			Agril: Political			
	_		Science, Public	-		
	_		Admn: Geography or			
			Social Psychology;			
			and			
			b) Five year			
	_		experience in			
		•				
			Social Welfare			
			ກີດ			
			rorest in Grade-16			
	•					
	2	Assistant	a) 2 nd Class Master's		Not less than	50% by initial recruit
		Director/	Degree from a.		21 years and	merit with due
		Project	recognized		not more than	regard seniority from amongst holders of
		Manager	University in		30 years	
		/Progress	Economics,			Divisional (Assistant Engineers)
•		Officer	Statistics, Social			
			Works/ Sociology,			
					•	
			Agril: Political			
			Science, Public			
			Administration,			
		•	Ř			
	<i>,</i>		Psychology, Physics,			
_	١		Chemistry,	-		
			Mathematics.			

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Auditors with atleast five years service:		
reare the next of genion Clerks Tunior		
than regard	University	
21 years and ii) 75% by selection on merit with due	recognized	Accountant
1) 25% by	Degree from	7 Assistant /
experience as such.		
/Senior Auditors with least five years	-	
Assistant/Accountants/ Senior Stenographer		1
gst hold		-
By the selection on merit with due regard	nt -	6 Superintendent
	OILLAGISTCA	\downarrow
	recognized	Engineer
30 years of the post the Overseers.	qualification from a	Director
not more than regard to seniority from amongst holders	equivalent	/Assistant
21 years and ii) 25% by selection on merit with due	Engineering or	Officer
Not less than (i) 75% by initial recruitment and	al Degree in	5 Sub Divisional
-	or Social Psychology	
	Science Geography	
deptt.	Admn: Political	
clause be treated as service in the	Agriculture, Public	
and the purpose of service under this	Animal Husbandry,	-
Note:Service in defunct Vill:Aid Department	works/ sociology,	
	statistics, social	£
with at least 10 years service.	Economics,	
30 years the post Supervisor, RD in the Department	University in	
not more than regard seniority from amongst holders of	recognized	_
21 years and ii) 50% by selection on merit with due	Degree from a	Officer
Not less than i) 50% by initial recruitment and	2 nd Class Master	4 Development
	Audit Department.	
	Provincial Local	
	Audit Department or	
	persons of Pakistan	
with a least three years service such.	G.A.S qualified	
30 years of the post Superintendent the Department	Administration, or	
not more than regard to seniority from amongst holders	Business	
21 years and ii) 50% by selection on merit with due	Degree in Commence /	Officer
Not less than (i) 50% by initial recruitment and	2 nd class Master's	3 Accounts

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-		.·				(Junior Scale)	S+enographer	-								Senior Auditor					parar bay.	<				Overseer				•					Stenographer (Senior Scale)	
English and 35	5	minutes in	and	recognized board	qualification from	equivalent	a) Matriculation or	Accounts	atio	subjects or equivalent	∙ 00.	Degr	be given to persons	Note: Preference will	University	Degree from recognized	,				OHITACISTCA	Degree from recognized		institute	from a recognized	Diploma in Engineering	in typing.	words per minute	English and 40	shorthand in	per minutes in		from recognized	qualification	a) Matriculation or equivalent	
			-									-							-	-	,					-						.,			(1)	
				25 years	not more than	years	Not less than		-	-	,		25 years	not more than	18 years and	Not less than	بر		CO Years	25 Wears			years		21 years and	Not less than							years	t more	Not less than 18 years and	·
			in the Deptt.	Lders	to seniority) 50% by selection on merit wi	i) 50% by initial recruitment and				with a least three years service such.	Auditor/Snr.Clerks in the Department	holders of the post Junior	regard to seniority from amongst) 50% by selection on merit wi	by initial recruitment and	מאַלערדנוויי, מיז ממיזיי	as such	tul with least years	f the post Villa	sprome morty trainings of bready	(i) 75% by initial recruitment with due				By Initial Recruitment							post Stenographer (Junior	regard to seniority from amongst h	i) 25% by initial recruitment and ii) 75% by selection on merit with due	



GOVERNMENT OF KHYBER PAKHTUNKHWA FINANCE DEPARTMENT (REGULATION WING)

Annex

NO.SO(FR)FD//8-25/2014/Local Govt./3379

Dated Peshawar, the 01-02-2018

To

The Secretary to Govt: of Khyber Pakhtunkhwa, Local Government Department.

Subject: -

SERVICE STRUCTURE FOR THE POST OF SUPERVISOR AND VILLAGE / NEIBOURHOOD COUNCIL SECRETAIRES

Dear Sir,

I am directed to refer to your Department letter No. SO(LG-I)2-176/2016 dated 16-01-2018 on the subject noted above and to say that the Competent Authority has been pleased to upgrade 3501 posts of <u>VILLAGE / NEIBOURHOOD COUNCIL</u>
<u>SECRETAIRES</u> and 89 posts of Supervisor in Local Government Department in the following manner;-

 	ries Village/Neibourhood/Council at least 10 years or more service.
3501 2651	850

Total Sanctioned Strength of Supervisor (BPS-09)	Number of posts upgraded to BPS-14 with same nomenclature of the posts
89	. 89

2. The Administrative Department may prepare service rules of the aforesaid posts and notify after fulfillment of all codal formalities.

3. Audit copy may be prepared and sent to this department for authentication.

Can My

Yours faithfully

SECTION OFFICER (FR)

Copy is forwarded to: -

Budget Officer (PFC-III), Finance Department for information and necessary action.

SECTION OFFICER (FR)